

## ANNEX H: ORGANIZATIONAL COMMAND STRUCTURE

### 1.0 INTRODUCTION

#### 1.1 PURPOSE

This Annex presents the organizational management concepts endorsed by the RRT for emergency response. It is the policy of RRT 6 that the responding OSC(s) will, when appropriate, integrate into an existing ICS if consistent with requirements of this Plan and when directing response under the National Response System, provide for meaningful participation of the local, state, and tribal responders and the Responsible Party by establishing a unified command system.

#### 1.2 SCOPE

This Annex covers the command responsibilities, functions and operations of the responders within the National Response System. The emphasis is on the role of Environmental Protection Agency On-Scene Coordinators (OSCs) conducting a response in the Inland Zone of Region 6.

This includes response to oil spills on inland rivers, which include those portions of the Mississippi and Arkansas Rivers that lie within the boundaries of Federal Region 6. Additional emphasis is placed on the OSC's role in response to hazardous substances releases in the coastal zone that affect or may potentially affect the inland zone and coordination with the US Coast Guard OSCs.

#### 1.3 ANATOMY OF AN OIL OR CHEMICAL EMERGENCY RESPONSE

Response actions during incidents involving oil or hazardous materials often are directed toward two separate but related areas of threats or impacts. These are:

- (1) Public Safety: A response to manage the emergency conditions caused by the release of the material which directly threatens the lives of people at risk. (i.e., threats to public safety and property). This response is usually made by local first responders to the extent of their resources.
- (2) Public Health and Environmental: A parallel response to "manage" (contain, cleanup, remove, dispose etc.) the released substance that is causing the emergency.

Every incident involving the discharge of oil or the release of hazardous substances, no matter how small or how big and complex it becomes, begins as a local incident. The first responders on-scene are local public safety (fire, law enforcement, emergency medical) agencies and officials regardless of the magnitude of the incident.

Their first goal is the same as the first goal in the NCP's National response priorities: the preservation of human life. They are in effect managing the emergency. In many communities, a hazardous materials team capability exists which allows first responders to begin managing the materials causing the emergency. Many times, these initial operations are sufficient to mitigate the incident to its conclusion.

A discharge of oil or a release of a hazardous substance(s) may pose multiple threats. They may impact public safety, public health and welfare, property or the environment. When the situation requires a response to manage environmental and public health protection that exceeds the capability of the local first responders and the responsible party (spiller), state environmental agencies and the OSC assume a more proactive role.

Local response personnel continue to manage public safety issues and provide support and assistance to the State and the OSC within their capabilities. In an incident during which this plan is activated and a federal OSC response is required, a multi-organizational response network will be needed to meet the varied demands of the situation. Included in this network are resources of the Federal, State and local governments, the responsible party and in some cases volunteer groups and individuals.

## **2.0 DIRECTION, CONTROL AND COORDINATION**

### **2.1 OSC AUTHORITY AND RESPONSE MANAGEMENT**

The OSC is the predesignated Federal official, operating at the scene of an oil or hazardous substances incident in accordance with executive powers delegated through law, regulation, executive orders and agency delegations.

The NCP clearly designates the OSC as the Nation=s exclusive manager of spills of oil and hazardous substances under the National Response System (NRS) and charges the OSC with the responsibility for ensuring immediate and effective response to a discharge or release. The basis under which response to discharges of oil and releases of hazardous substances is undertaken is the NRS . Under the NRS, a major duty of the OSC is to coordinate with state and local response organizations.

### **2.2 COMMAND GUIDANCE AND POLICY**

#### **Inland Regional Response Policy:**

It is the policy of the Region 6 RRT that response actions on non-Federal lands should be monitored or implemented by the most immediate level of government with authority and capability to conduct such activities. In the inland zone, the initial response is typically implemented by local government first responders (fire, law enforcement, emergency management agencies).

The Region 6 RRT recognizes that local government is a key emergency response mechanism to protect public health and the environment for most emergencies under the NRS. They are usually the first to arrive at the scene and take immediate actions under their specific authorities to issue evacuation or shelter-in-place orders, initiate fire and law enforcement actions and care for casualties. Local responders are familiar with and will likely establish an incident command system.

When incident response is beyond the capability of the local/State response and/or federal response is necessary, U.S. EPA or USCG OSCs are authorized to take response measures deemed necessary to protect the public health or welfare or the environment from discharges of oil or releases of hazardous substances, pollutants, or contaminants. The need for Federal response is based on evaluation by the Federal OSC following NCP criteria.

The intent of this plan as well as the NCP is not to characterize the OSC as an emergency responder. Practical considerations such as the size of this five state regional area of responsibility makes an immediate on-scene presence of a federal OSC unlikely.

Receipt of the notification of the event and mobilization of the responding OSC from the Dallas EPA Regional office may prevent an OSC from arriving on-scene in the first eight to ten hours following receipt of notification. The arrival of response resources deployed by the OSC may take even longer.

It is EPA Region 6's policy that responses by EPA OSCs will follow the Region's Phone Duty and Response Duty Guidelines. These are guidelines, not directives, and are used only to standardize the consistency of responses. The decision to mobilize a response is made by the Telephone Duty OSC using the framework of this plan and his/her assessment of the circumstances of each reported incident.

### **2.3 INCIDENT COMMAND SYSTEM**

The **NATIONAL RESPONSE SYSTEM** creates the organization and the overall coordination mechanisms for conducting multi-agency and multi-jurisdictional response operations. The NRS satisfies the requirements for an ICS under 29 CFR 1910.120, and it is always used during federal responses to incidents involving oil or hazardous substance discharge or release.

The ICS is a functional organizational structure for use by the NRS organizations for the tactical management of emergencies. The goal of the ICS Unified Command structure is to reach consensus whenever possible, where the OSC always retains the authority to take all actions that he or she deems appropriate.

The emphasis during response is on coordination, rather than a more rigid system of command and control. The OSC, the state/local government representatives, and the responsible party all are involved with varying degrees of responsibility, regardless of the size or severity of the incident.

The OSC in every case retains the authority to direct the spill response, and must direct responses to spills that pose a substantial threat to the public health or welfare of the United States. In many situations, however, the OSC will choose to monitor the actions of the responsible party and/or state/local governments and provide support and advice where appropriate.

The response management structure described here does not attempt to prescribe a specific item-by-item functional description concerning where particular organizations or individuals fit within a single response structure for a given response.

Developing, adopting, and implementing a response management system, such as a unified command system, is the responsibility of the OSC and the Area Committee through development of specific area contingency plans.

This RICP leaves that responsibility up to the individual Area Committees where established and approved ACPs where an approved ACP exists. Otherwise the ICS described in Section 105 is to be utilized.

It is the expectation of the RRT that additional sensitive areas ACPs and/or supplemental planning documents will be developed for sensitive areas in Region 6. Supplemental planning documents will be incorporated as Annexes to this plan.

Sensitive Area ACPs will also be annexes to this plan, and will be stand alone documents. The response organization in an ACP must be designed to recognize two basic facts: (1) All key players in the response management structure may have job responsibilities in addition to response and preparedness, and (2) some of these responsibilities fall outside the scope of NCP and thus would not be subject to the response structure described in the ACP.

Based on these facts, an area's response management system should recognize that the key players will maintain a separate internal response management infrastructure during a response.

The goal of the area's response management system is to identify how those participating in the response management structure can best communicate and coordinate with each other for planning, logistics, finance, operations, and communications to ensure effective response coordination.

Because the key players differ from area to area, the RRT is giving Area Committees and OSCs the flexibility to tailor an ICS to their basic organizations for the specific area. Once an ICS is selected in an approved ACP, that system will be used for responses in the ACP area of responsibility.

For Areas not covered by a separate approved ACP, this RICP mandates use of the NIMS based ICS, as appropriate. This ICS identifies five functional areas for response operations.

These areas are COMMAND, OPERATIONS, PLANNING, LOGISTICS AND FINANCE. In a traditional ICS structure, such as might be found at the local level during the first few hours of an emergency, the Command function is handled by an Incident Commander (IC), who, in many cases is predesignated by the local emergency operations plan.

The IC, supported by a command staff and the other units of ICS, directs the efforts of the responding organizations to include outside local responders participating under mutual-aid agreements.

Federal law requires implementation of a site-specific incident command system at all emergencies involving hazardous substances by the senior emergency response official responding (29 CFR 1910.120 (q) and 40 CFR 311).

The Region 6 RRT recommends and encourages local officials to establish an ICS at all incidents involving spills of oil or hazardous substances as required by 1910.120. The ICS should be initiated by the senior on-scene official of the first response organization to arrive at an incident and should be based on one system agreed upon by all local, State and Federal authorities in each area and consistent with this RACP.

## 2.4 SINGLE JURISDICTIONAL AREA RESPONSE

### 2.4.1 Local Responders

The focus of local responders is usually directed toward abating immediate public safety threats. The degree of local response will depend upon the training and capabilities of local responders relative to the needs of the specific emergency. In some cases this may be using hazard awareness training knowledge to identify the nature and scope of the hazard.

This information is then passed on to State and Federal responders who are activated to address the situation with specific expertise and/or capabilities. Often local agencies take mitigating actions of a defensive nature to contain the incident and protect the public.

In many instances, Responsible Parties or local agencies are capable of an aggressive response and quick abatement of immediate hazards. Usually in these cases, local authorities rely on State and Federal responders to assure that cleanup is complete and remediation is technically sufficient.

A major role of local organizations during all emergency incidents is to provide security for all on-scene forces and equipment. For large incidents, help is often requested through the State emergency management agencies. This activity includes establishing local liaison with hospital, emergency services, and police personnel, as well as restricting entrance to hazardous areas to all but essential personnel.

Most classic emergencies begin with a single jurisdiction and will involve several local response agencies. Establishment of an ICS brings the separate tactical operations of each agency into a management structure led by a single IC. In most cases involving response to an incident involving hazardous substances, this local effort coupled with the efforts of the Responsible Party, are sufficient to mitigate the incident to its conclusion.

When the incident is large enough or severe enough to exceed the capabilities of the initial response forces or when the nature of the incident generates intense public concerns and information demands, additional organization from higher levels of government and from within the cleanup contractor community become necessary.

In many cases these resources are remote from the incident site and tend to be technical in nature with a focus toward managing the chemical or product causing the situation. This is especially true for a federal response by an OSC.

The IC should anticipate as much as possible the need for additional resources and request them as soon as possible to minimize the time necessary to mobilize them to the scene. The RRT emphasizes that it should never be seen as a sign of weakness or unpreparedness to ask for assistance when the existing capabilities are or can be expected to be exhausted.

The OSC has access to sophisticated technical expertise and equipment that can be mobilized to assist in overall mitigation efforts.

By contrast, fire fighting, evacuation, crowd and traffic control, site security and other public safety issues are typically not within the OSC's realm of responsibility or authority. The purpose of a response by an OSC is to deal with the materials involved, not to direct local public safety operations.

Only in extremely rare cases, where local forces are depleted or otherwise unable to continue their duties has an OSC been requested by local officials to assume overall charge of the operation.

### 2.4.2 Transition to a Unified Command

Because each responding agency has its own responsibilities and mission requirements and has operation control over its own resources, when an incident necessitates federal response, the ICS must expand to accommodate what is now a multi-jurisdictional, multi-organizational response.

The modular framework of any ICS must allow expansion to this level of response without compromising the advantages of an ICS.

When this expansion occurs, the original IC along with the heads of the other responding agencies, (state incident manager, the OSC and the Responsible Party) transition into a command structure that allows for

participation of all parties where the OSC maintains authority. This becomes the mechanism to make the ICS operate.

This command structure should promote optimization of combined efforts, eliminate duplication of efforts and allow collective approval of shared operations, logistics, planning and finance, where possible and appropriate.

At best, the command structure should bring together all of the responding organizations to mutually discuss response direction, communications, resources, priorities, objectives, and strategies. The command structure should provide the organizational structure that becomes the link between responding elements necessary for an effective and efficient response. In all cases, the OSC retains ultimate decision making authority.

The following roles and responsibilities are examples of commonly shared objectives and tasks within the response management system:

- (1) Public Affairs - Coordination and release of all media releases, community fact sheets and the scheduling of press conferences and public meetings related to the incident.
- (2) Federal/State Liaison - Coordinating with outside agencies, individuals, or groups involved in the response.
- (3) Health and Safety - Responsible for the safety of all activities associated with the response and compliance with applicable safety laws and regulations. Also responsible for assessing hazardous and unsafe situations and developing measures for assuring personnel safety. May also include the coordination, preparation and issuance of health advisories to the public.
- (4) Response Log - Responsible for recording the chronology of events and documenting all pertinent activity relating to the spill. All pertinent message traffic, correspondence, etc. should be included in this documentation.
- (5) Response Operation - Responsible for management of the tactical response to the discharge, including containment and cleanup efforts.
- (6) Planning - Responsible for the development of strategies for the containment and cleanup of the discharge.
- (7) Logistics - Responsible for ensuring that the necessary personnel and equipment are obtained and delivered to conduct response operations.
- (8) Finance - Responsible for the accounting management of Fund expenditures, including documentation for claims and cost recovery.

In order to facilitate UC implementation, especially among those agencies which are not familiar with this command structure, response coordination meetings should be held between response organizations. The frequency of these meetings will vary with the complexity of the incident, but are typically held twice a day for major incidents.

All affected governmental agencies will be asked to participate in these meetings and issues will be presented and attempted to be resolved with concurrence by all involved.

## **2.5 MULTI-REGIONAL RESPONSES**

If a discharge or release moves from the area covered by one ACP or RCP into another area, the authority for response actions should likewise shift. If a discharge or release affects areas covered by two or more ACPs or RCPs, the response mechanisms of each applicable plan may be activated. In this case, response actions of all regions concerned shall be fully coordinated as detailed in the RCPs and ACPs.

There shall be only one OSC at any time during the course of a response operation. Should a discharge or release affect two or more areas, EPA, the USCG, DOD, DOE, or other lead agency, as appropriate, shall give prime consideration to the area vulnerable to the greatest threat, in determining which agency should provide the OSC.

The RRT shall designate the OSC if the RRT member agencies who have response authority within the affected areas are unable to agree on the designation. The NRT shall designate the OSC if members of one RRT or two adjacent RRTs are unable to agree on the designation.

Where the USCG has initially provided the OSC for response to a release from hazardous waste management facilities located in the coastal zone, responsibility for response action shall shift to EPA or another Federal agency, as appropriate.

## **2.6 POST- EMERGENCY OPERATIONS**

ICS protocol is intended to apply only during the emergency phase of a response to which 29 CFR 1910.120(q) applies. However, use of an ICS throughout a response and cleanup is encouraged.

## **2.7 STATE RESPONSE**

Each State in Region 6 has a State disaster plan and laws that specify that State's authority and organization for a technical response to environmental emergencies. All States can provide technical expertise to assess environmental and public health threats and damage, as well as to advise local responders. In specific circumstances, States may provide additional response capabilities in the form of contractors and funding.

## **2.8 INTEGRATION WITH FACILITY AND VESSEL RESPONSE PLANS**

Facility and vessel response plans, required by section 4202(a)(5) of OPA, shall be reviewed and approved for consistency with this Plan and with applicable Area Contingency Plans.

During a response, the OSC shall meet with the other responding parties to coordinate and integrate the response described in this plan with all other relevant plans including, but not limited to, Federal, State, local, tribal, and private plans.

Area Committees will continuously review the effectiveness and integration of all plans based upon actual responses, exercises, and all other relevant information leading to enhancement of these plans.

## **3.0 NOTIFICATION AND REPORTING**

This section provides guidance on the actions and requirements of Phase 1 (Discovery or Notification) of the Operational Response phases defined in the National Oil and Hazardous Substances Pollution contingency Plan (NCP). Phase 1 pertains to the requirements and procedures for notification of the National Response System and the Region 6 On-Scene Coordinator of a discharge of oil or a release of a hazardous substance. Notification concerning an oil or hazardous substance release or discharge is the foundation for all response operations and is required under Federal Law (CWA, OPA and CERCLA).

### **3.1 OPERATIONAL RESPONSE PHASES:**

#### **3.1.1 Phase 1: Discovery or Notification**

Notification of a discharge of oil or a release of a hazardous substance in amounts equaling or exceeding the established reportable quantity is the first step when initiating appropriate response measures under the National Response Plan. Without notification, the rapid response under the National Response system cannot take place in a timely manner.

## The Spiller/Responsible Party

It is the spiller's responsibility to report all spills. In accordance with 40 CFR part 302 and 33 CFR part 153, the spiller or responsible party is required to immediately report to the National Response Center (NRC) all releases of oil and hazardous substances in an amount equal to or greater than the reportable quantity into or on navigable water, adjoining shorelines, or the contiguous zone. The term immediately means just that.

Any person in charge of a vessel or a facility shall, as soon as he or she has knowledge of any discharge from such vessel or facility in violation of section 311 (b)(3) of the CWA, immediately notify the NRC. While there is a 24 hour period over which a release may cumulate to equal or exceed the reportable quantity, once that threshold is met, notification is required immediately.

If NRC notification is not practicable, the responsible party must notify the U.S. EPA or USCG predesignated OSC for the area or region in which the incident occurred. If it is not possible to notify either the NRC or the predesignated OSC, reports may be made immediately to the nearest Coast Guard unit. In such event, the RP must notify the NRC as soon as possible.

In addition, facilities may be required to report releases of specified hazardous substances to State Emergency Response Commissions (SERC) and Local Emergency Planning Committees (LEPC) under Section 304 of the Emergency Planning Community Right-To-Know Act (EPCRA), 42 U.S.C. Sec 11004. requirements.

## The National Response Center

The National Response Center (NRC) is the national communications center for receipt of notifications of reportable oil discharges and releases of hazardous substances. In addition, the NRC is the single point of contact for all pollution incident reporting and serves as a hotline for terrorism events.

Notification of the NRC is accomplished by contacting the NRC duty officer by telephone at (800) 424-8802 or (202) 267-2675. Upon receipt of a notification by the party responsible for the discharge or release, the NRC notifies the appropriate OSC.

### 3.1.2 REGIONAL NOTIFICATION AND ACTIVATION PROCEDURES

In Region 6, both the USCG and EPA maintain Regional Response Centers (RRC) and 24 hour telephone capability. In addition, each USCG Marine Safety Office (MSO) maintains a 24 hour telephone capability. The 24 hour telephone number for each of the RRCs is located on the Emergency Notification Page at the front of this plan.

If EPA Region 6 or a USCG element in the Region is the first to be notified of a release or discharge, EPA or USCG will verify that the NRC and the appropriate State have also been notified. If the circumstances of the discharge or release warrant, EPA or the USCG will ensure notification of the appropriate trustees for natural resources and other RRT members. OSC notification of trustees is accomplished through protocols developed via trustee-specific agreements.

## EPA Regional Response Center

The U.S. EPA Region 6 Telephone Duty OSC (TEL) receives notification of discharges and releases from various sources including the NRC, USCG, states and the party responsible for the discharge or release (Responsible Party or RP).

Upon receipt of a spill notification, the TEL is responsible for gathering additional information and determining the appropriate federal response to the incident. The TEL is also responsible for providing or ensuring appropriate notification to other interested parties as described below.

A dedicated spill/incident reporting telephone, (866) 372-7745, in the EPA RRC is manned on a 24 hour basis by the designated TEL. During non-duty hours, calls received on this spill reporting hotline are answered by the NRC who takes all reporting information, and passes the information to the TEL.

## US Coast Guard

Within Region 6, one USCG Districts has jurisdictional boundaries. The District Operations Centers, which are manned 24 hours a day, are located in the offices of the Eighth Coast Guard District in New Orleans, LA.

For pollution response, the Marine Safety Office, located in both the coastal areas and well as along the major inland rivers are the main pollution response locations.

The Commanding Officer of each MSO is also the designated Captain of the Port (COTP) for the MSO operational area. The COTP in the Coastal Zone is the USCG predesignated OSC.

## Telephone Duty

Spill reports received by the NRC are forwarded to the Region 6 Telephone duty OSC (TEL) who then begins follow-up action to gather additional information and make a decision on the appropriate federal response.

The TEL will ensure that the state environmental agency and the natural resource trustees are notified of the incident, as appropriate. For all major spills and other spills which, because of their location or other circumstances are likely to generate a great deal of media attention, the TEL will notify section or branch management who will in turn inform senior regional management.

As used in this section, "notification" refers to the actions taken by the pre-designated Federal OSC to immediately alert appropriate Federal and State agencies of a release. The purpose of this notification is to provide those agencies with the best available summary of OSC observations and operations and to allow the notified agency an opportunity to perform some on-scene program function. Ordinarily, the OSC will notify agencies by telephone.

Upon notification from the NRC, the OSC may investigate the report to determine the threat posed to the public health or welfare or the environment. Additional notifications and/or reports, if required, are based on the actual or potential size of the spill and the threat posed as outlined in Table 1.

The designated OSC will make the following notifications:

- **Minor and Medium Releases:** OSC will make notifications for minor releases to the pollution response agency for the impacted State or States. Notifications to the Natural Resources Trustees will be made if the circumstances of the particular incident warrant.
- **Major Releases:** The OSC will notify the following:
  - The pollution response agency for the impacted State or States. Additional notification to the state emergency management agency will be made at the TEL's discretion.
  - The DHHS (US Public Health Service) representative, if a public health emergency exists;
  - The Office of Emergency and Remedial Response (OERR), Headquarters, U.S. EPA;
  - All affected State, Federal and Native American natural resource trustees;
  - The appropriate USCG District office if the spill impacts navigable water which threatens or involves waters in or adjacent to the coastal zone;
  - The Oil Pollution Liability Fund Manager; and
  - Other RRT agencies as appropriate

OSCs should also ensure that all appropriate public and private interests are kept informed and their concerns considered.

Table 1: Size Classes of Discharge

TYPE OF SPILL	OIL	HAZARDOUS SUBSTANCE	REQUIRED NOTIFICATION ACTIONS BY EPA
MINOR	< 1,000 gal.	< Reportable Quantity	If circumstances warrant, POLREPs to Regional Response Center, the affected State, and appropriate Federal and State natural resources trustees
MEDIUM	1,000 - 10,000 gal.	> Reportable Quantity but does not meet criteria for a major or minor release	Same as for minor spills, except when response requirements exceed capabilities of OSC and local contractors, or when a potential exists for major environmental damage. Under these circumstances, initiate the notifications required for a major spill.
MAJOR	> 10,000 gal.	Amount that poses a substantial threat to human health, welfare, or the environment	Notify Regional Response Center by the most rapid means available, providing all known information, even if it has not been confirmed by on-scene personnel. An Incident-Specific RRT will then be activated.
WORST CASE	A worst case involves <b>ANY</b> discharge or threat of a discharge, in significant quantities to impact public health, welfare or the environment, where the parties responsible for the threat or discharge are unwilling or unable to perform the required response actions.		

### 3.2 INCIDENT SPECIFIC NOTIFICATIONS:

#### 3.2.1 Incidents involving Radioactive Materials:

Many radioactive materials (radio nuclides) are designated hazardous substances and have individual reportable quantities. As such, any release of these materials will require notification to the NRC. If radioactive substances are present in a release and the notification is made directly to the EPA Radiological Program, the receiving agency will immediately relay the notification to the appropriate Regional Response Center.

When the notification is received by the TEL OSC, an assessment will be made to determine if it is an emergency or otherwise requires EPA or DOE response action. The U.S. EPA Regional Radiation Program Manager (RRPM) will be notified for evaluation and assistance. If the TEL is unable to reach the RRPM, the EPA Headquarters Office of Indoor Air will be contacted through the NRC.

#### 3.2.2 Federal Response Plan/ ESF 10 Activation.

In the event of the occurrence or threat of a disaster situation, the Federal Emergency Management Agency (FEMA) will activate the Federal Response Plan (FRP) and Emergency Support Function # 10, Hazardous Materials, for which EPA is the Primary Agency. EPA Region 6 is notified by either the FEMA Regional Office, FEMA's Mobile Emergency Response System (MERS) or the NRC. This notification is received on the 24 hour spill notification line by TEL.

Upon receipt of a notification that ESF 10 has been activated, TEL will take appropriate actions.

### 3.2.3 Terrorist Threat or Incident:

Usually, notification of a threat or an actual terrorist incident will be received from the Federal Bureau of Investigation (FBI) or the NRC. If notification of a suspected or actual terrorist incident is received directly from any other source, the TEL will immediately contact the FBI field office nearest the reported incident to confirm knowledge of the incident and receive any deployment instructions.

### 3.3 REPORTS PROCEDURES:

**Pollution Report (POLREP):** Each incident will have an Initial and Final POLREP. The POLREP is prepared by the OSC and are used for discharges of oil or releases of hazardous substances. The frequency of progress POLREPs will be determined by the OSC. In no case will POLREPs be issued less frequently than weekly. Distribution of POLREPs will vary by the type of incident and will be determined by the preparing official.

**Situation Reports (SITREP):** SITREPs are prepared by the Branch Chief for incidents not directly or solely involving oil or hazardous substances. The frequency of SITREPs will be determined by the Branch Chief.

**Incident Logs:** OSC(s) responding to an incident shall maintain an accurate Incident Logbook or other appropriate form of documentation. The RRC will also maintain a logbook or other appropriate form of documentation of the incident to document information not likely to be captured in the field.

**Damage Assessment/Response Tracking Forms:** These forms will be used to ensure that reports of damage are investigated and properly resolved. They are also designed to aid in the preparation of an After Action Report.

**Cost Documentation:** Appropriate cost documentation procedures are detailed in the Oil Spill Response Checklist. Cost documentation for hazardous substance release are handled by EPA's Cost Recovery Section.

**OSC Report/After Action Report:** The After Action report should be prepared in accordance with 40 CFR 300.165.

**Debriefing/Critique:** After completion of response actions at each major incident, the region will conduct a debriefing or critique of the response. A session consisting of (at a minimum) the EPA participants will be held to discuss both the positive and negative aspects of the response in an effort to improve future responses. Lessons learned during the incident will be incorporated into future modifications to the RCP.

## 4.0 WORKER HEALTH AND SAFETY

During the course of a response action, immediate actions are necessary to minimize the impact of a discharge or a release to prevent further migration of oil or a hazardous substance. The health and safety of emergency responders is both crucial and necessary.

A site specific plan must be developed at the onset of a response action to ensure the health and safety of response personnel. The OSC is responsible for the overall site health and safety concerns. The OSC or his/her delegate, should monitor all health and safety related issues.

Safety guidelines concerning worker health and safety are outlined in 29 CFR 1910.120 and shall be consulted in the development of a health and safety plan.

This section provides the necessary information for the OSC to develop a site specific health and safety plan. The scope of a safety plan should provide the basic safety guidelines and attachments which cover the anticipated work onsite.

### 4.1 RESPONSIBILITIES

**OSC:** It is the overall responsibility of the OSC to determine the appropriate level of health and safety measures implemented during the course of a response action. When the State/Local or the Responsible Party have taken the lead in a response, the OSC must review the implemented safety procedures and determine if they are adequate for the given situation.

If the level of safety does not meet the proper guidelines, an unaddressed health or safety concern exists, and/or the OSC determines that a threat to worker health and safety exists, the OSC may take measures to immediately correct the situation.

If the deficiency is not addressed, the OSC has the authority to assume direction and control of the response action. While OSCs do not normally direct local public safety operations, the OSC must work with local public officials to ensure local and State emergency responders are working within proper safety guidelines.

The OSC has the final decision on health and safety protocols for removal activities. The OSC may designate a site health and safety officer to monitor the response activities and address worker health and safety issues.

**DESIGNATED HEALTH AND SAFETY OFFICERS:** The OSC is the Site Health and Safety Officer. A Site Health and Safety Officer may be designated by the OSC at his discretion. The function of the Site Health and Safety Officer is to coordinate all health and safety issues and to monitor site activities for safety concerns. Additionally, the site safety officer or designee may conduct health and safety activities such as safety meetings, medical and air monitoring, and any other activities as deemed necessary.

**RESPONSE PERSONNEL:** Response personnel duties may include, but are not limited to, the physical removal of the spilled material, reconnaissance of material migration in the affected areas, and/or decontamination of response personnel and equipment. Appropriate measures should be taken to insure that all appropriate regulatory requirements are adhered to with respect to worker health and safety.

**MANAGEMENT SUPPORT:** The OSC can call on Agency management to obtain health and safety information from the Regional Response Team (RRT), the Regional Response Center (RRC), and from the Regional Incident Coordination Team (RICT).

Branch management shall obtain assistance in health and safety issues through other agencies such as the Occupational Health and Safety Administration (OSHA). Management support can also assist in deploying further Agency resources to the spill scene as needed.

**OCCUPATIONAL HEALTH AND SAFETY ADMINISTRATION (OSHA):** OSHA is a division of the Department of Labor which has established regulations governing the health and safety of employees engaged in hazardous waste operations and emergency response.

These regulations, codified at 29 CFR 1910.120, contain general requirements for health and safety programs, site characterization and analysis, site control, training, medical surveillance, personal protective equipment, work practices, engineering controls and work practices, exposure monitoring, informational programs, material handling, decontamination, and emergency procedures.

OSHA has the authority to visit and inspect a response site to determine if all necessary safety precautions are being met and/or addressed.

## **4.2 PROCEDURES**

**PRE-RESPONSE PROCEDURES:** Before responding to a spill, responders need to make every effort to identify the material in order to determine the associated health risks. If an exact determination of the spilled material can not be obtained, the most likely suspected material should be used to formulate a health and safety plan. A plan should be developed to provide sufficient safety information to cover all expected work and provide provisions for obtaining additional information as soon as possible.

**INITIAL ONSITE PROCEDURES:** Upon the arrival of the OSC at an incident, the OSC must review and ensure that a health and safety plan has been prepared and implemented. Additionally, the OSC must ensure that the maximum achievable level of worker health and safety has been provided for all responders or the appropriate managerial or engineering controls are implemented. The OSC may designate a site health and

safety officer. The OSC should review all health and safety related issues to ensure there are no unaddressed risks or any unresolved safety concerns.

**CLEANUP PROCEDURES:** During the course of the response action, the OSC and/or the designated SHSO should monitor and adjust health and safety procedures and practices to ensure they match the work being conducted. If the nature of the response changes, the OSC should amend the health and safety plan in order to reflect these changes.

An overall health and safety protocol shall be implemented for extended response actions. This protocol should include such items as daily meetings, air monitoring (if necessary), first aid, medical monitoring, and heat and cold stress monitoring.

**4.3 REFERENCES**

The OSC should ensure that a health and safety plan is prepared and implemented in accordance with the following references:

- National Institute for Occupational Safety and Health, Occupational Safety and Health Administration, U.S. Coast Guard, U.S. Environmental Protection Agency. Occupational Safety and Health Guidance Manual for Hazardous Waste Site Activities. DHHS(NIOSH) Publication No. 85-115. October 1985.
- U.S. Environmental Protection Agency. Standard Operating Safety Guides. Office of Solid Waste and Emergency Response, Washington, D.C. 20460. Publication 9285.1-03, PB92-963414, June 1992.

**5.0 PUBLIC INFORMATION**

When an incident occurs, it is imperative to give the public prompt, accurate information on the nature of the incident and the actions underway to mitigate the damage. Those in charge of the response and associated public relations personnel should ensure that all appropriate public and private interests are kept informed and that their concerns are considered throughout the response.

Sections 300.155, 300.415, 300.430 and 300.435 of the NCP require coordinating, informing and updating the public during the response and removal activities. A prompt and full information flow is essential to getting cooperation from people and keeping them informed.

This section outlines the responsibilities responders, primarily the OSC, have to the public during a response and discusses the resources available to fulfill those responsibilities. It also provides a number of guidelines for handling media interaction, public relations and political interest.

Often the success or failure of a response effort is not based upon what actually took place, but upon the information the media and the community received. The following guidelines will assist in the development of a successful public information system during a response.

**GOALS OF A PUBLIC INFORMATION SYSTEM**

1. Reach the affected public as soon as possible regardless of the time of day or night. Also provide updates on a routine basis or as incident conditions change.
2. Inform the public of the situation and all associated threats.
3. Tell the public what actions to take.
4. Give follow up information as to when the next update will be and who they can contact for additional information.
5. Clear all information through the OSC prior to release to the public.

## 5.1 RESPONSIBILITIES

**OSC:** According to the NCP, the OSC and designated public relations personnel are responsible for keeping both public and private interests informed of the nature of the incident and the actions being taken to mitigate the threat.

The size of the OSC's public information staff depends upon the response situation. It is up to the OSC to designate the media and community spokesperson for the incident and allow them to coordinate public relations activities. When necessary, the Incident OSC shall be available to meet with the media and local community members to answer questions and present technical information.

**USEPA COMMUNITY INVOLVEMENT COORDINATOR (CIC):** Primary resource for coordinating the preparation of fact sheets, public meetings, community interviews and any other activities to inform the community, residents and private interests impacted by the incident.

**USEPA OFFICE OF CONGRESSIONAL AFFAIRS (OCA):** As a liaison for the responders in the field, USEPA's OCA keeps dignitaries, State and Federal elected officials and local representatives fully informed of all response events. The OCA is also the official escort for prestigious site visitors.

**USEPA OFFICE OF PUBLIC AFFAIRS (OPAff):** Provides support in media relations tasks, such as developing press releases, processing information requests from the media, or acting as an Agency spokesperson. On-site assistance may be requested directly from the OSC or from the CIC.

**PUBLIC INFORMATION ASSISTANCE TEAM (PIAT):** If requested, the PIAT will provide personnel and expertise to the OSC needing additional assistance with the media. The PIAT, a highly specialized, self-contained public affairs resource, is available through the National Response Center (NRC) or the USCG National Strike Force Coordination Center (NSFCC).

**JOINT INFORMATION CENTER (JIC):** For major spills where media activity will last more than 2-3 days or a large number of agencies and organizations are involved, a JIC should be established to coordinate the Public Information activities of all participating agencies and parties. This allows journalists and spokespersons to coordinate media relations from a central location and ensures that accurate information is released rather than rumors and speculations.

If a JIC is established, the spokesperson designated by the OSC shall speak for all the agencies present at the response. Each agency can speak for itself about their specific activities but not the activities of other agencies.

## 5.2 PROCEDURES

### 5.2.1 Initial Procedures

The OSC has the primary responsibility for public relations during a response. For effective and accurate information distribution, the OSC shall appoint spokespersons by using the following guidelines:

- **Minor spill and/or release:** These incidents usually require only one spokesperson who can coordinate information from the Regional Office. Normally, the OSC is the only on-site spokesperson for minor spills but may request assistance from the CIC or OPAff.
- **Medium or Major spill and/or release:** These incidents may require both a media spokesperson (MS) and a CIC on-site. A support and briefing center may need to be set up near the incident.

- **Worst case spill and/or release:** In response to a worst-case scenario incident, a MS, a CIC and a OCA shall be selected to coordinate public information activities at the incident. A JIC shall be established as the primary public affairs center.

### 5.2.2 MEDIA RELATIONS

The Media Spokesperson (MS) shall conduct the duties listed below.

1. Press releases and media statements should be prepared from information gathered from the Incident OSC, POLREPS, fact sheets, etc. These should be update at least daily or as the status of the response changes.
2. The OSC should be briefed each morning on media coverage of the incident and specific public affairs goals for the day. The OSC should update the press release at this time. If media interest is extremely high, the OSC should be briefed more often than once a day.
3. The MS should arrange for and coordinate press conferences as required by the response events. A media availability session with the OSC should be conducted once a day during the critical days of the response effort or when media interest is great.

### 5.2.3 Community Relations

The CIC shall conduct the duties listed below.

1. The CIC shall prepare fact sheets and distribute them to the impacted community. Fact sheets may be updated as response events change or as otherwise necessary.
2. If the threat to the community is significant or the interest is large, the CIC may go door-to-door to meet with individuals and discuss any concerns they may have. This is also an excellent opportunity for the CIC to collect information from the community about the release, the responsible party(ies), etc.
3. Arrangement and coordination of public meetings or public availability sessions will be handled by the CIC. The purpose of these meetings is to inform citizens of ongoing activities and to receive citizen feedback on the proposed course of action. The primary purpose of the availability session is to put forth the OSC's assessment of the progress of the response. Its secondary purpose is to answer media questions. The meeting is not a substitute for other communication methods but, instead, should provide a technical presentation and the opportunity for a question-and-answer session.
4. The OCA shall be the liaison between the OSC and all interested VIPs (e.g., Congressional Representatives, local officials, politicians, etc.). It will be up to the OCA to gather information from the MS and CIC and distribute it to the appropriate VIPs. The OCA shall also coordinate air and ground transportation for the VIPs when traveling to and around the site.
5. The OCA shall also escort VIPs around the incident site. All tours must be coordinated through the OSC, in advance, to determine which areas can be visited and which to avoid. The Health and Safety Coordinator must also determine where people can go based upon their 40-hour safety training status.
6. When VIPs visit or tour the site, the OSC shall make an effort to meet and talk with them to answer questions and clarify information.

All designated spokespersons report directly to the OSC. The OSC should be continuously updated on all media and community activities. In addition, the OSC shall review all press releases, fact sheets, and any other items before being released to the media or community. All media and community inquiries should be directed to the appropriate spokesperson.

#### **5.2.4 Internal Information**

Internal information is the process of informing the response personnel of the status of all the response activities. At a minimum, all personnel assigned to response duties should be provided with access to the daily press releases and fact sheets. This will help ensure a consistent and accurate flow of information.

#### **5.2.5 Academic Interests and Product Representatives**

OSCs may request technical assistance for evaluating products and services from individuals and parties representing companies, schools and universities. These requests should be directed to the designated Scientific Support Coordinator.

## METHODS FOR INFORMING THE PUBLIC

The following discussion examines the various means of public involvement and information dissemination. It also shows the relative strengths and weaknesses of each strategy.

METHOD	STRENGTH	WEAKNESS
FACT SHEETS	Can include details and graphics regarding technical activities; can include points of contact and phone numbers if people need more information.	Often time consuming to distribute to each community member; possibly creates more questions than answers.
PRESS RELEASES	Can include details and graphics regarding technical activities; can include points of contact and phone numbers if media members need more information; can be faxed to media outlets.	Must make sure to distribute evenly to avoid giving one media representative an advantage over another; should be continuously updated on a regular basis until incident is concluded or no more media interest.
DOOR-TO-DOOR	High credibility; provides details; can target to a specific geographic area; reaches everyone; builds excellent public relations; adds a personal touch and provides an opportunity to address individual concerns.	Takes time; occupies personnel who may be needed in other aspects; cannot cover wide areas due to high personnel requirements.
PUBLIC MEETINGS/ PRESS BRIEFINGS/ AVAILABILITY SESSIONS	Best methods for providing detailed information in a brief amount of time. Small group meetings with individual one-on-one attention is generally the preferred method.	Must notify people about meeting; public and media must be moderated to keep meeting from getting out of control; cannot be easily called whenever information needs to be updated; too many meetings will result in loss of interest.
TELEPHONE HOTLINE (1-800-NUMBER)	Manned 8-10 hours a day; gives public instant access to someone to answer questions; public feels less in-the-dark.	Can be overwhelmed with calls; often have to limit who has access to the phone number which reduces public's access to information; need one person dedicated to phone at all times.
RECORDED MESSAGES	Reduces the amount of time the MS, CIC, and PO must spend on individual phone calls; people can receive updates at their convenience; often is the most updated source of information.	Must ensure that people receive phone number; must keep updated; cannot use jargon or technical words that are not widely understood by the public; does not allow addressing of individual questions or concerns.
AM/FM RADIOS	Instant communication; provides detailed information and frequent updates; nearly universal access; portable and auto radios operate during power outages.	Users must be tuned in to receive information; stations give inconsistent priorities to news information; broad reach of the transmission means areas and people not affected by release receive the message.
TELEVISION	Gives event credibility; available in most households; gives up-to-date, detailed information; can show video footage, graphics, diagrams, etc.; can cut into regular broadcast to give emergency information.	Narrow window of opportunity since people work and sleep; broad reach goes out to people not impacted; affected by power outages; cable channels are only received by subscribers.
NEWSPAPER	Good for non-time critical information; inexpensive and widely distributed; detailed coverage; good for meeting announcements.	May only be published once a day or week; will not include up-to-the-minute information; may not reach a large portion of the affected community.
TOUR OF SITE	Provides direct information to a limited number of people.	Not useful for large numbers of people; some degree of physical risk.
POLREPS/SITREPS	Contain site details in a specific format; good for internal communications; can be edited for fact sheets and press releases.	May contain confidential information not releasable the public.
DIRECT MAILINGS	Useful to inform people in a specific geographic area of upcoming events or information that directly affects them.	May be time consuming and logistically difficult; often costly, especially if sending return receipt.